

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michael Justin Foos,

Civ. No. 22-398 (JWB/DJF)

Petitioner,

v.

ORDER

B. Eischen,
FPC-Duluth Warden,

Respondent.

The above matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Dulce J. Foster dated March 14, 2023. (Doc. No. 17.) No objections have been filed to that R&R in the time permitted. In the absence of timely objections, the Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R of the Magistrate Judge, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The March 14, 2023 Report and Recommendation (Doc. No. 17) is **ACCEPTED**;
2. Petitioner Michael Justin Foos’s Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. No. 1) is **DENIED**; and
3. This matter is **DISMISSED WITH PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: April 5, 2023

s/ Jerry W. Blackwell
JERRY W. BLACKWELL
United States District Judge